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## **New Cell Phone Regulations for Commercial Motor Vehicles**

JEFFERSON CITY – Beginning January 3, 2012, commercial motor vehicle drivers can no longer use hand-held mobile phones and push-to-talk cell phones while driving. The new rule is being implemented by the Federal Motor Carrier Safety Administration and the Pipeline and Hazardous Materials Safety Administration after research indicated drivers distracted by hand-held phones pose a safety risk to themselves and other motorists.

Specifically the rule prohibits drivers from reaching for, holding, or dialing a mobile phone while driving, and applies to commercial motor vehicle truck and bus drivers who operate in Missouri as well as interstate drivers. School bus drivers and those driving vehicles designed to carry nine to 15 passengers are included.

The new rule applies when the vehicle is in operation on the highway, when temporarily stopped on the highway for traffic, or when waiting at a stoplight, stop sign or other traffic control device.

Drivers can use a hand-held cell phone only if the vehicle is stopped in an area safe for parking a commercial vehicle, or to communicate with law enforcement or other emergency services to report emergencies.

“It’s about safety,” said MoDOT Motor Carrier Services Director Jan Skouby. “Any steps that can be taken to reduce fatalities is something MoDOT will support in any way we can.”

The rule affects all commercial motor vehicles operated in interstate commerce with a gross vehicle weight rating of 10,001 pounds or more or a vehicle transporting any amount of hazardous materials requiring a placard. Also affected are drivers of vehicles operated solely in intrastate commerce with a gross vehicle weight rating of 26,001 pounds or more or a



vehicle with a gross vehicle weight rating of 10,001 pounds or more carrying any amount of hazardous materials. The new rule includes all contracted school bus operations and shuttle buses. Intrastate carriers who are currently exempted from the federal regulations by the state of Missouri will remain unaffected by the new rule.

The use of hands-free devices is allowed; however, drivers can only use hands-free phones and headsets if the phone is in their reach while being restrained by a seat belt in the driver's seat. Dialing a hands-free phone while in motion is allowed only if it can be done by striking a single button.

The use of CB radios, other two-way radio communication or electronic devices are not included.

Commercial driver's license holders with multiple convictions for violating the restriction could face disqualification, meaning loss of their CDL privilege. Violators can face federal civil penalties of up to \$2,750 for each offense. Companies that allow their commercial truck or bus drivers to use hand-held phones while driving face a fine of up to \$11,000.00. Citations of hand-held mobile phone violation will affect both driver and carrier (company) federal CSC (Compliance, Safety, Accountability) scores.

To review the full federal regulation, visit <http://www.gpo.gov/fdsys/pkg/FR-2011-12-02/html/2011-30749.htm>

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